



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

March 24, 2014

Ms. Carolyn Ingram Seitz  
P.O. Box 265  
Altadena, CA 91003-0265

**REGARDING: PROJECT NO. 2009-00920-(2)  
CONDITIONAL USE PERMIT NO. 200900138  
1117, 1127, 1131 W. EL SEGUNDO BLVD., GARDENA**

Hearing Officer Alex Garcia, by his action of **March 18, 2014**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **April 1, 2014**. **Appeals must be delivered in person.**

**Appeals:** To file an appeal, please contact:  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Rudy Silvas of the Zoning Permits West Section at (213) 974-6462, or by email at [rsilvas@planning.lacounty.gov](mailto:rsilvas@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Mi Kim, Supervising Regional Planner  
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

**FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2009-00920-(2)  
CONDITIONAL USE PERMIT NO. 200900138**

1. **ENTITLEMENT REQUESTED.** The applicant is requesting a Conditional Use Permit (CUP) to authorize an auto body shop, with a spray paint booth, pursuant to County Code Section 22.28.260 in the C-M (Commercial-Manufacturing) Zone within the West Athens-Westmont Community Standards District.
2. **HEARING DATE.** January 21, 2014, March 4, 2014, March 18, 2014

**PROCEEDINGS BEFORE THE HEARING OFFICER.**

January 21, 2014: A duly noticed public hearing was held on January 21, 2014, before Hearing Officer Alex Garcia. Staff gave a presentation recommending approval for a CUP application to allow the conversion of an auto repair shop into an auto body/fender repair and auto paint shop at the subject property. Staff also identified the use of a motorcycle repair shop and carburetor repair shop in separate structures on the site. Staff stated that a letter of support for the CUP request was received from the Southwest Community Association, and also a letter of concern from a neighboring resident for off-site parking. Staff stated that a condition was prepared to ensure all parking for businesses would remain on-site and that an updated site plan would depict all required on-site parking. Three storage containers were also identified on the west end of the property. Staff indicated that Public Works has waived the requirement for street lighting, and has also approved the location depicted for the required ADA (American with Disabilities Act) parking stall. Staff recommended approval of the CUP subject to the conditions drafted.

The applicant and his agent provided testimony before the hearing officer. The applicant stated he works to ensure his tenants are parking their vehicles on-site. The applicant's agent stated that the site plan was prepared with the way Public Works intends to have the site maintained and not how it currently is. Only what is proposed is shown. The agent also stated that the storage containers are used for a variety of things, but that one container will be used for the storage of auto body parts. With regard to the parking issue, the agent stated that cars that come in for auto body repairs are dropped off and left in some of the parking stalls around the auto body repair shop. Tow trucks also drop off vehicles for repair, and as one vehicle is moved out of a parking stall to be worked on inside the shop another vehicle is placed in the parking stall to await repairs. Auto body repair shop staff ensure that all employees park on-site. That agent stated that Public Works has also required that the driveway apron to the repair shop area be realigned with the driveway aisle on site, and that curb and gutter improvements be made too. Sidewalk improvements would also require that ADA standards be met, and more than one ADA stall on-site would require a passenger loading zone on both sides on the vehicle stall. If only one ADA stall is required its location depicted on the site plan was acceptable to Public Works, per the agent. The agent also stated

that parking stall requirements were calculated based on parking code requirements at the time the structures were built. Parking stall requirements for commercial manufacturing uses on site should be based on a 1 parking stall to 400 square foot ratio for the structures.

The Hearing Officer inquired if Staff had a history of zoning enforcement on the site. Staff replied that there was a history of enforcement on the site indicating a CUP requirement for the auto body repair shop, signage and parking related issues. The Hearing Officer stated he was uncertain if the status of the enforcement case was still open or closed, and if open the need for a Clean Hands Waiver would be necessary. The Hearing Officer also questioned the location of two billboards on-site and to whether there were any building permits for them. Staff replied that no permits for the billboards were located in the permit package. The Hearing Officer questioned if there were permits on the single-family residence. Staff replied that there appeared to be record of permits for the residence built in the 1940s. The Hearing Officer also questioned for proof of permits for a storage structure used in conjunction with the residence, but Staff could not confirm.

The Hearing Officer addressed the applicant and his agent and explained that he found the site plan to be inconsistent with some issues raised and with regard to the billboard locations on-site. The Hearing Officer also addressed banners on site, and the fence located around the area of the auto body/fender repair shop, restroom facility and motorcycle repair shop. The Hearing Officer stated the fence would block access to required parking stalls towards the rear of the property. Also, the Hearing Officer stated the storage structure used in conjunction with the single-family residence does not appear to match the outline of the structure as depicted on the site plan. It appears the storage structure may have been added to without permits. Unpermitted canopies with auto storage below were also noted on-site by the Hearing Officer, along with outside storage of other material. The Hearing Officer asked the applicant and his agent for additional information for the legal status of the billboards on-site and the storage structure in question.

The applicant's agent stated they had a copy of the Clean Hands Waiver which allowed CUP 200900138 to be filed. A copy was handed to the Hearing Officer who ordered a copy placed in the file. The applicant's agent stated that she was unsure if there were any permits on the billboards which appeared to be quite old. The applicant stated he had asked the larger billboard company whether the billboard was legally established due to their insistence that that be granted a lease cost reduction, to which the billboard company replied that permits did exist. No proof has been submitted for permits for the large billboard. The applicant has never asked the smaller billboard lease holder for proof of permits because the annual lease fee is always received with no problems. No permits verified.

The Hearing Officer stated he wished to continue the item to allow Staff and the applicant time to produce documents that show the legal establishment of the storage structure and the billboards.

Prior to deciding on a continuation date, the Hearing Officer heard testimony from Henry Porter of the Southwest Community Association. Mr. Porter stated that he had sent in a letter of support for the auto body/fender repair shop, and also stated he wanted a condition to not allow exterior noise generating activity past 5:00 p.m. but that the auto body shop may stay open until 7:00 p.m. Mr. Porter stressed the importance of having a properly placed ADA parking stall, with van accessibility if only one ADA stall is required on-site. An ADA parking stall at the back of the property may put an individual in a hazardous situation. ADA parking stalls should be located close to the entrance of a building, and no travel between parked vehicles for the disabled should be allowed. .

The Hearing Officer stated that the applicant look at the conditions of the Clean Hands Waiver and ensure the site is in compliance with them, and directed Staff to research the legality of the billboards and other structures brought up at the hearing. Zoning Enforcement history should be updated in addition to the Clean Hands Waiver and included in the findings. Conditions should be modified to include any items discussed at the hearing not previously covered in the conditions.

The applicant's agent stated they would work with Building and Safety for an alternative location that would be acceptable for placement of the ADA parking stall.

The Hearing Officer continued the public hearing to March 4, 2014, after confirming with Staff on the amount of time needed to conduct research and report back.

March 4, 2014: Newly assigned Staff reported to the Hearing Officer a follow up to his inquiries of the January 21, 2014, public hearing. Staff reported that no permits were made available by the representatives of Clear Channel and Lamar Advertising for the legal establishment of the billboards on site. Staff also reported that Zoning Enforcement Case No. EF 950061 was still open. The storage shed used in conjunction with the single-family residence on-site was converted into a kitchen for commercial purposes. Finally, Staff reported that the storage containers on site appeared to be used for outside storage purposes and were not in compliance with County Code Section 22.28.270 D., for screening requirements and for location of 50 feet from the front property line.

The applicant and his agent provided testimony before the hearing Officer. The applicant stated that he was not aware of the enforcement case still open for the storage shed and its illegal conversion into a commercial kitchen use. The applicant also stated that he was not able to do anything with regard to the use of the billboards on-site. The applicant's agent stated that the storage shed was the first structure built on the property, with an addition made in 1950 which may have allowed plumbing for a bathroom with shower. The applicant's agent stated they were unaware that the storage structure was now being used as a kitchen, but did acknowledge that the residents of the single-family residence did have a food

truck. The applicant's agent also stated that the illegal addition to the storage shed which had been recognized by the Hearing Officer at the initial hearing on January 21, 2014, had been removed. Staff did report that there were permits on the storage shed and residence, but that there was no record of any plumbing permitted inside the storage shed. Building Permit No. 53334, issued on June 30, 1943, allowed construction of the original storage/garden shed, no interior plumbing. Building Permit No. 66696, issued on April 17, 1944, permitted construction of the single-family residence. The applicant's agent indicated that the storage shed violation would be cleared.

The Hearing Officer directed Staff to further research the record of permits for the billboards on-site, and asked that Zoning Enforcement inspect the storage shed to ensure that all plumbing fixtures and kitchen facilities within have been removed. The applicant requested that the containers be allowed to remain if used incidentally for businesses on-site. The Hearing Officer directed Staff to verify that the containers were being used incidental to the businesses on-site.

The Hearing Officer continued the public hearing to March 18, 2014.

March 18, 2014: Staff reported back to the Hearing Officer that there were still no record of permits issued for the legal establishment of the two billboards on site, and also reported that the storage shed had all interior plumbing and kitchen facilities removed which was verified during a site visit with Zoning Enforcement on March 12, 2014. Zoning Enforcement will close Zoning Enforcement Case No. EF 950061, no other violations to report. Staff also reported that the storage containers are being used for incidental storage related to the auto body/fender repair shop and the motorcycle repair shop. However, Staff also stated that if the containers are to be construed as outside storage then they are not in compliance with County Code Section 22.28.270 D., for screening requirements and for setback requirements of 50 feet from the front property line.

The applicant and his agent provided testimony. The applicant's agent stated that the front property line was moved back when El Segundo Boulevard was widened, and that Public Works is asking for further curb and gutter improvements. There may be some difficulty in interpreting a setback from a front property line in light of these changes.

The Hearing Officer addressed the applicant and his agent and stated that there was nothing he could do with regard to Public Works' requirements, and that the storage bins would be referred to Zoning Enforcement for further investigation with code compliance on outside storage.

The Hearing Officer directed Staff to modify the language of Condition No. 17 which previously read "modified Exhibit 'A' shall be submitted to regional Planning within sixty (60) days of the date of final approval," to now read, "shall be submitted to Regional Planning by May 18, 2014". Condition No. 20 is to be modified to only

read, "The hours of operation shall be limited to between 7 a.m. and 7 p.m. Monday through Saturday (closed on Sundays)".

The applicant stated that he agreed to accept the modifications to the conditions as indicated by the Hearing Officer. The applicant also understood that Public Works had eliminated the street lighting requirement and had no other concerns regarding the other conditions and accepted them.

The Hearing Officer closed the public hearing, and determined that the project was categorically exempt under California Environmental Quality Act (CEQA) reporting requirements, under a Class 1 Categorical Exemption for Existing Facilities, and approved Conditional Use Permit No. 200900138, Project No. 2009-00920-(2); subject to the attached findings and conditions of approval.

3. **PROJECT DESCRIPTION.** The project is the proposed change of use from an auto repair shop to an auto body repair shop, with a spray paint booth, within an existing 3,200-square foot industrial building, which requires a conditional use permit in the C-M Zone.
4. **SITE PLAN DESCRIPTION.** The site plan shows a 0.53-acre parcel with four industrial buildings totaling 6,450 square feet, being utilized as an auto repair shop, a motorcycle repair shop, a machine shop, and a carburetor shop. The site plan shows 27 vehicle parking spaces (of which 13 spaces are required for the auto body shop) and a total of 5,706 square feet of landscaped areas, a single-family residence (588 square feet), storage shed (208 feet), and a wireless telecommunications facility. The perimeter of the site is fenced with a combination of 6-foot high chain link and iron fencing. Access is provided by three driveways from El Segundo Drive.
5. **LOCATION.** 1117, 1127 and 1131 W. El Segundo Boulevard, West Athens-Westmont
6. **EXISTING ZONING.** The subject property is zoned C-M and is within the West Athens-Westmont Community Standards District.

Surrounding properties are zoned as follows:

North: R-1 (Single-family residence)

South: City of Gardena

East: C-M

West: C-M

7. **EXISTING LAND USES.** The project site is developed with four industrial buildings, currently being utilized as an auto repair shop, a motorcycle repair shop, a machine shop, and a carburetor shop.

Surrounding properties are developed as follows:

North: Motorcycle repair shop, single-family residences  
South: Single-family residences (across El Segundo Boulevard)  
East: Carburetor shop, machine shop  
West: Single-family residence, wireless telecommunications facility

8. **PREVIOUS CASES/ZONING HISTORY.** The subject property has the following case/zoning history:
- Zone Change Ordinance No. 1494 (adopted September 12, 1927) zoned this area as M-3.
  - Zone Change Ordinance No. 4558 (adopted March 5, 1952) zoned this area as C-M.
  - Conditional Use Permit No. 200900119 (approved July 6, 2007) authorized the construction and operation of a wireless telecommunications facility.
9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project is compatible with the Commercial Manufacturing (C.4) land use designation of the West Athens-Westmont Plan which includes the north side of El Segundo Boulevard. This major arterial is currently developed with a mixture of uses and is zoned for industrial use. The auto body shop is located on a property with other industrial and auto service businesses and will be fully enclosed within an existing warehouse building. It is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Community Plan are applicable to the proposed project:

- Encourage the revitalization of existing businesses by all available public or private means.
- Encourage the revitalization of deteriorating commercial areas.
- Enhance the physical character and economic viability of existing commercial areas by utilizing commercial areas by providing for infill and intensification of vacant and under-utilized parcels, adaptive reuse of vacant structures and rehabilitation of deteriorated structures. Ensure that zoning fosters a healthy commercial and industrial development in the community.

The proposed auto body repair shop will enhance the economic activity in the area. It will also be compatible with the other industrial/commercial uses on the site which include a motorcycle repair shop, a machine shop, and a carburetor shop.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The project is in compliance with development standards of the C-M Zone pursuant to Section 22.28.270:
- Building Coverage (22.28.270A) – The total area of all buildings does not exceed 90 percent of the lot area. The total building area is 9,602 square feet or 42 percent lot coverage. The area of the building that will house the auto

- repair shop is 3,200 square feet. No new construction is being proposed that would increase building coverage. Therefore this requirement is satisfied.
- Landscaped Areas (22.28.270A) - The landscaped areas are at least 10 percent of the total lot area. The total landscaped area is 5,706 square feet or 22 percent of the site. The auto body repair shop will be housed entirely within an existing building and will not displace any required landscaped areas.
  - Parking Areas (22.28.270B) – The required number of parking spaces for the auto body shop is 13 and the total required parking for all uses on the site is 27 spaces. There are 27 spaces which are shared amongst the four businesses. Therefore, the parking requirement is met.
  - Outside Display (Section 22.28.270C) – The site does not have any outside display. A condition of approval will prohibit outside display.
  - Outside Storage (Section 22.28.270D) – The property does not currently have, or propose any outside storage.

The project is in compliance with the applicable development standards of Westmont-West Athens Community Standards District pursuant to Section 22.44.120.

Height Limit – The auto body shop will be housed in an existing building which is 20-feet in height. The maximum height limit is 50 feet. Therefore, the height requirement is met.

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The auto body shop will be located within one of the four industrial buildings (totaling 6,450 square feet) on the 0.53-acre property. The buildings were all constructed in the 1940s and have served various industrial and auto repair uses since that time. The auto body repair shop is compatible with the other uses currently on-site, which include a motorcycle repair shop, a machine shop, and a carburetor shop. The use is sufficiently buffered from the adjacent single-family residences to the west and north by landscaped areas. The auto body shop is within an existing building which does not have any openings to the west or north (access doors are to the south and east) which minimizes the potential of noise impacts. Other buildings also buffer the auto body shop (a shed to the west and another warehouse to the north). Along the southern side of El Segundo Boulevard (which is six lanes in width) are single-family residences. The residences are buffered by the width of the street and have rear yards (landscaped areas) along El Segundo Boulevard. The industrial buildings on the site were developed in the 1940s and have been used by a variety of manufacturing/auto-related uses since that time without a history of complaints or issues. The proposed auto body repair shop will be maintained within an existing building and the project does not propose any new construction. The building is currently used as an auto repair shop but will be converted to auto body repair shop, which similar to the existing use and will not result in any additional impacts to the community. The current hours of operation, which are from 7am to 7pm between Monday and Saturday (closed on Sunday),



will continue to be in effect. All auto body repair activities will take place within the enclosed area of the existing building.

12. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** The project was reviewed and cleared, with recommendations, by the following County Departments:

**Fire Department, Land Development Unit** – In a letter dated October 4, 2012, the project was cleared for public hearing, with no additional recommended conditions of approval.

**Department of Public Works, Land Development Division** – In a letter dated October 9, 2013, the project was cleared for public hearing with recommendations. The recommendations are made a part of the Conditions of Approval.

**Department of Public Health, Environmental Health Division** – In a letter dated December 18, 2012, the project was cleared for public hearing with recommendations. The recommendations are made a part of the Conditions of Approval.

13. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** No other agencies were required to comment on this permit application.
14. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
15. **PUBLIC COMMENTS.** A representative from the Southwest Community Association, Henry Porter, has provided comments in support of the permit request, with recommendations for inclusion in the Conditions of Approval. Also a resident in the community commented that one of the auto repair businesses in the area uses public streets to store vehicles.

#### **CONDITIONAL USE PERMIT SPECIFIC FINDINGS**

16. The Countywide General Plan designates this area as Major Industrial, which allows for industrial and other intensive uses. The auto body repair shop may be maintained in an industrial area without disturbing the other commercial and industrial uses. Therefore, the proposed use is consistent with the adopted general plan for the area.
17. The auto body repair shop is compatible with the other auto repair uses in the surrounding area. All repair activities are required to be performed within buildings. Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property

of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

18. The auto body repair shop is within an existing building and the use meets the applicable development standards and can be effectively integrated with the other uses in the area. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
19. The auto body repair shop generates limited vehicle trips as the number of vehicles that can be worked on at one time is limited by space and each vehicle will remain on-site for several days on average. An existing building is being converted from an auto repair shop to an auto body shop which is not expected to create a demand for more customers, employees or deliveries. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

#### ENVIRONMENTAL DETERMINATION

20. The project is a request to operate and maintain an auto body repair shop and it does not involve the construction of any new structures. The site is located within an urbanized area with other auto repair uses adjacent. The immediate project vicinity does not include any natural habitat. Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
21. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to fifteen (15) years.
22. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not: (a) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or (b) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or (c) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served: (a) By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (b) by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

- 1. The Hearing Officer determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200900138 is approved subject to the attached conditions.

**ACTION DATE: March 18, 2014**

MKK:AS:RS  
3/24/14

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2009-00920-(2)  
CONDITIONAL USE PERMIT NO. 200900138**

**PROJECT DESCRIPTION**

The project is a conditional use permit to authorize the operation and maintenance of an auto body shop subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5 and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on January 21, 2029.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to

determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by May 18, 2014.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PROJECT SITE SPECIFIC CONDITIONS**

19. This grant shall authorize an automobile repair shop (an auto body shop), within an enclosed building, which may perform auto body and fender work, painting and upholstery.
20. The hours of operation shall be limited to between 7am and 7pm Monday through Saturday (closed on Sundays).
21. Customer vehicles shall be stored on the premises. No vehicle storage shall occur in public streets.
22. The permittee shall maintain compliance with the County Noise Ordinance.
23. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated October 9, 2013, Fire Department Letter dated October 4, 2012, and Public Health Department Letter dated December 18, 2012, to the satisfaction of said departments.

#### **Attachments:**

Public Works Department Letter dated October 9, 2013

Fire Department Letter dated October 4, 2012

Public Health Department Letter dated December 18, 2012



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

October 9, 2013

IN REPLY PLEASE  
REFER TO FILE: LD-2

TO: Mi Kim  
Zoning Permits West Section  
Department of Regional Planning

Attention Andrew Svitek

FROM:  Steve Burger  
Land Development Division  
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 200900138**  
**PROJECT NO. R2009-00920**  
**1117, 1127, AND 1131 WEST EL SEGUNDO BOULEVARD**  
**ASSESSOR'S MAP BOOK NO. 6089, PAGE NO. 30, PARCEL NO. 27**  
**UNINCORPORATED COUNTY AREA OF GARDENA**

We reviewed the site plan for the proposed project located at 1117, 1127, and 1131 El Segundo Boulevard in the unincorporated County area of Gardena. The proposed project is to retroactively authorize an auto body and fender repair shop with an existing non-conforming, single-family, residence and four other businesses on the site in a C-M Zone. The CUP is to allow an auto body shop and its other uses to comply with the zoning code.

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

### THE FOLLOWING ARE PUBLIC WORKS RECOMMENDED CONDITIONS:

#### 1. Road

- 1.1 Reconstruct/construct driveway approaches to the site to comply with current Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
- 1.2 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on El Segundo Boulevard to the satisfaction of Public Works.



- 1.3 Replace any displaced/broken sidewalk along the property frontage on El Segundo Boulevard to the satisfaction of Public Works.
- 1.4 Plant street trees on El Segundo Boulevard along the property frontage. Existing trees in the right of way shall be removed and replaced, if not acceptable as street trees.
- 1.5 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.6 Submit street improvement plans and acquire street plan approval or direct check status before obtaining grading/drainage permits.
- 1.7 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Sam Richards at (626) 458-4921 or [srich@dpw.lacounty.gov](mailto:srich@dpw.lacounty.gov).

## 2. Street Lighting

- 2.1 Provide street lights on concrete poles with underground wiring along the property frontage on El Segundo Boulevard to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.

The applicant shall comply with conditions of acceptance listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. All street lights shall be installed per approved plans. It shall be the sole responsibility of the owner of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner of the project, and the installation must be accepted by the lighting districts, per approved plans, prior to issuance of a Certificate of Occupancy.

- 2.2 Annexation is required into the County Lighting Maintenance District (CLMD). The proposed project is not within an existing CLMD. Street lighting plans cannot be approved prior to completion of annexation process.

2.2.1 Upon approval of the CUP, the applicant must comply with the conditions listed below in order for the CLMD to pay for the future operation and maintenance of the street lights. The annexation request shall be the sole responsibility of the owner of the project. The Board of Supervisors must approve the annexation and levy of assessments prior to Public Works approving street lighting plans. It is the responsibility of the owner to have all the street lighting plans approved prior to the issuance of building permits or road construction permits. The required street lighting improvements shall be the sole responsibility of the owner of the project and installation must be accepted by the CLMD, per approved plans, prior to issuance of a Certificate of Occupancy.

- (1) Request Street Lighting Section to commence annexation and levy of assessment balloting proceedings. (\*)
- (2) Provide business/property owners name(s), mailing address(es), site address, Assessor parcel number(s), and parcel boundaries in either Microstation or Auto CADD format of territory to be developed to Street Lighting Section.
- (3) Submit a map of the proposed project including any roadways conditioned for street lights to Street Lighting Section. Contact Street Lighting Section for map requirements and/or questions you may have at (626) 300-4726.

The annexation and assessment balloting process takes approximately 12 months or more to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in delay in the annexation of street lights. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

2.3 The following are conditions of acceptance for street light transfer of billing:

- 2.3.1 All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.
- 2.3.2 The contractor shall submit one complete set of As-built plans.

Mi Kim  
October 9, 2013  
Page 4

Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding the street lighting conditions, please contact Jeff Chow at (626) 300-4921 or [jchow@dpw.lacounty.gov](mailto:jchow@dpw.lacounty.gov).

For any additional questions, please contact Ruben Cruz at (626) 458-4910 or [rcruz@dpw.lacounty.gov](mailto:rcruz@dpw.lacounty.gov).

RC:tb

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## COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division  
Land Development Unit  
5823 Rickenbacker Road  
Commerce, California 90040-3027  
Office (323) 890-4243 Fax (323) 890-9783

DATE: October 4, 2012

SITE PLAN DATE: Not Provided

TO: Department of Regional Planning  
Zoning Permits - Andrew Svitek

PROJECT #: R2009-00920

LOCATION: 1113-1117 West El Segundo Blvd., Gardena

- ☒ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☐ The required fire flow for this development is \_\_\_\_ gallons per minute for \_\_\_\_ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. \_\_\_\_ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Install \_\_\_\_ public fire hydrant(s).  
Install \_\_\_\_ private on-site fire hydrant(s).  
Provide Fire Flow Test for \_\_\_\_ existing public fire hydrant(s).

☐ Water: \_\_\_\_

☐ Access: \_\_\_\_

☐ Conditions for Approval: \_\_\_\_

☒ Comments: The proposed project is "cleared" for public hearing.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: Wally Collins



**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JONATHAN E. FREEDMAN**  
Chief Deputy Director

**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

**JACQUELINE TAYLOR, MPA, REHS**  
Director of Environmental Protection Bureau

**PATRICK NEJADIAN, REHS**  
Chief EHS, Land Use Program

**THAO KOMURA, REHS**  
Environmental Health Specialist IV  
Land Use Program  
5050 Commerce Drive  
Baldwin Park, California 91708  
TEL (626) 430-5581 • FAX (626) 813-3016



**BOARD OF SUPERVISORS**

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Fifth District

December 18, 2012

TO: Andrew Svitek  
Zoning Permits West  
Department of Regional Planning

FROM: Thao Komura, REHS   
Environmental Health Division  
Department of Public Health

SUBJECT: PROJECT NO. R2009-00920 / CUP 200900138  
1113-1117 W. EL SEGUNDO BLVD., GARDENA

- ☒ Environmental Health recommends approval of this CUP.  
☐ Environmental Health does NOT recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the information provided regarding a CUP for continued use of existing structures (5 commercial/industrial buildings) as an auto body paint shop with no new construction.

The Department recommends approval of this CUP with the following condition:

The project shall comply with the Los Angeles County Noise Control Ordinance as found in Title 12 of the Los Angeles County Code.

For any other questions, please feel free to contact me at (626) 430-5581.